

REMARKS

Claims 1-27 were pending. Claims 7, 9, 18, and 22-23, and 26 have been canceled. Claims 1, 4-6, 10-14, 17, 19-21, 24, 25, and 27 have been amended. Accordingly, claims 1-6, 8, 10-17, 19-21, and 24-25, and 27 remain pending subsequent entry of the present amendment.

In the present Office Action, claims 1-7, 9, 12-16, 18-19, 22-24 and 27 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,047,317 (hereinafter “Bisdikian”). Claims 1, 4-6, 12-16, 18-20, 22-24 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by WO99/65230 (hereinafter “Philips”). Claims 25 and 26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Bisdikian. Claims 8 and 21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Bisdikian in view of U.S. Patent No. 6,317,885 (hereinafter “Fries”). Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bisdikian in view of U.S. Patent No. 5,982,445 (hereinafter “Eyer”). Claims 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bisdikian in view of U.S. Patent No. 6,374,404 (hereinafter “Brotz”). Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Philips in view of Bisdikian. Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Philips. Claims 8 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Philips in view of Fries. Finally, claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Philips in view of Eyer. Applicant traverses at least some of the rejections above and requests reconsideration.

As amended, claim 1 recites a method which includes:

“receiving a broadcast program comprising a first presentation;
receiving data which indicates one or more portions of the broadcast program may
also be utilized as part of second presentation comprising an interactive
magazine;
storing said one or more portions responsive to detecting said data;
receiving magazine pages and associated metadata; and
utilizing the metadata to retrieve and present said stored one or more portions as
part of the presentation of the interactive magazine.”

In the recitation above it is seen that there are at least two presentations. A broadcast program is received which comprises a first presentation, and data is received which indicates one or more portions of the broadcast program (first presentation) may be used as part of a second presentation. Support for the above amendment may be found in at least the following portion of the description wherein it discloses:

“The present invention allows for an interactive magazine (which may be broadcast or transmitted point-to-point) that uses audio/video/application clips that have been previously broadcast and stored in a local storage device, thereby minimizing the bandwidth required to implement an interactive magazine. . . . The present invention efficiently utilizes bandwidth by permitting a broadcast clip to be used as part of a broadcast program and as part of an interactive magazine in which the clip is presented to the viewer on demand.”
(page 13, lines 3-13).

Accordingly, claim 1 recites the broadcast of a program and the transmission of data which indicates particular portions of the program (e.g., various clips or otherwise) may be used as part of a second, separate, presentation comprising an interactive magazine. Responsive to the data, the identified portions may then be stored for (possible) later use in the second presentation. Consequently, an interactive magazine may be created at any time by simply identifying selected portions of one or more broadcast programs and storing the selected portions. The magazine pages and metadata may then used the previously stored data to present the interactive magazine. Utilizing such an approach, it is conceivable that no additional magazine specific content need be conveyed – though other content could be conveyed. In this manner, the magazine simply leverages off of the existing television programming (i.e., content which is already being broadcast as part of other presentations) to create any of a myriad of magazines. Applicant submits none of the cited art discloses or suggests such features.

In contrast to the above, Bisdikian is directed to a video presentation system with cyclic transmission of the presentation data and caching of successively addressed

frames. Philips simply discloses a system wherein modules are conveyed as carousels. Fries discloses hyperlinked web pages. Brotz discloses filtering and caching of hypertext documents. Eyer is directed to using HTML in a television receiver. However, none of the cited art discloses or suggests the transmission of a first presentation and additional data which identifies portions of the first presentation as being usable in a second presentation, storing the identified portions and subsequently using them as part of a magazine as recited. Accordingly, claims 1 is patentably distinguished from the cited art. Further, as each of independent claims 24, 25, and 27 include similar features, each of these claims are patentably distinguished for similar reasons.

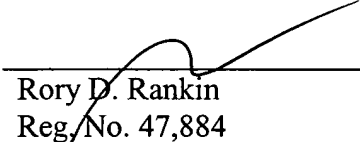
Should the examiner believe issues remain which would prevent the application from proceeding to allowance, the below signed representative requests a telephone interview to facilitate a speedy resolution. The below signed representative can be reached at (512) 853-8866.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5266-05300/RDR.

Respectfully submitted,



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Date: November 4, 2005